

CSD 1182 [01/10/08]

Name, Address, Telephone No. & I.D. No.

Gregory Scott Beauchamp

452 4th Street

Encinitas, CA. 92024

FILED TS

09 NOV 10 PM 12:29

CLERK
U.S. BANKRUPTCY CT.
SO. DIST. OF CALIF.

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Beauchamp, Gregory Scott

BANKRUPTCY NO. 09-11540-PB7

Tax I.D. (EIN) #: /S.S.#:XXX-XX- 4987 Debtor.

NOTICE OF MOTION FOR Emergency Motion - Amended

TO: John E. Bouzane Attorney for William K. Ho and Sunni K. Ho
634 Oak Court
San Bernadino, CA. 92410 909-889-5151

You are herewith served with the attached Motion by Gregory Scott Beauchamp, Debtor

for: Emergency Motion-Persuant to bankruptcy rule 9014.5
Vacate Judgement in unlawful detainer case 37-3009-00038371-CL-UD-NC Filed June 19, 2009
Vacate Writ of Possession and Notice to Vacate issued Oct. 28, 2009
Reinstate stay stop enforcement of Judgement to allow hearing on the merits
FRCP Rule 60. Refiel from Judgement or Order an FRCP Rule 60 (b)(4)

and any accompanying declarations.

If you object to the Court granting the relief requested in the Motion:

1. **YOU ARE REQUIRED** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. *If a Chapter 7, 11, or 12 case*, determine which deputy to call by looking at the Bankruptcy Case No. in the above caption of this notice. If the case number is followed by the letter:

-	JM	-	call (619) 557-6019	-	DEPARTMENT ONE (Room 218)
-	LA	-	call (619) 557-6594	-	DEPARTMENT TWO (Room 118)
-	LT	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	PB	-	call (619) 557-5157	-	DEPARTMENT FOUR (Room 328)

For ALL Chapter 13 cases, call (619) 557-5955.

2. **WITHIN FOURTEEN (14)¹ DAYS FROM THE DATE OF SERVICE OF THE MOTION**, you are further required to serve a copy of your DECLARATION IN OPPOSITION TO MOTION and separate REQUEST AND NOTICE OF HEARING [Local Form CSD 1184²] upon the undersigned moving party, together with any opposing papers. The

¹If you were served electronically or by mail, you have three (3) additional days to take the above-stated actions.

²You may obtain Local Form CSD 1184 from the office of the Clerk of the U.S. Bankruptcy Court.

opposing declaration shall be signed and verified in the manner prescribed by Federal Rule of Bankruptcy Procedure 9011, and the declaration shall:

- a. identify the interest of the opposing party; and
 - b. state, with particularity, the grounds for the opposition.
3. **YOU MUST** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West "F" Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

IF YOU FAIL TO SERVE YOUR "DECLARATION IN OPPOSITION TO INTENDED ACTION" AND "REQUEST AND NOTICE OF HEARING" within the 14-day¹ period provided by this notice, NO HEARING SHALL TAKE PLACE, you shall lose your opportunity for hearing, and the debtor or trustee may proceed to take the intended action.

DATED: 11/10/09


 Gregory Scott Beauchamp, Pro Per

Attorney for Moving Party

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on 10th day of November, 2009, I served a true copy of the within NOTICE OF MOTION by [describe here mode of service]

Mail

on the following persons [set forth name and address of each person served] and/or as checked below:

☒ Attorney for Debtor (if required):

John E. Bouzane Attorney for William K. Ho and Sunni K. Ho
 634 Oak Court
 an Bernadino, CA. 92410 909-889-5151

Ronald E. Stadmueller
 10755 Scripps Poway Pky #370
 San Diego, CA. 92131
 Trustee

☒ For Chpt. 7, 11, & 12 cases:

UNITED STATES TRUSTEE
 Department of Justice
 402 West Broadway, Suite 600
 San Diego, CA 92101

☐ For ODD numbered Chapter 13 cases:


THOMAS H. BILLINGSLEA, JR., TRUSTEE
 530 "B" Street, Suite. 1500
 San Diego, CA 92101

☐ For EVEN numbered Chapter 13 cases:

DAVID L. SKELTON, TRUSTEE
 525 "B" Street, Suite 1430
 San Diego, CA 92101-4507

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 11/10/09
 (Date)


 Lisa Lynn Beauchamp
 (Typed Name and Signature)

452 4th Street
 (Address)

Encinitas, CA. 92024
 (City, State, ZIP Code)

NTF
Rev. 11/07

United States Bankruptcy Court
Southern District of California
Jacob Weinberger U.S. Courthouse
325 West F Street
San Diego, CA 92101-6991

Telephone: 619-557-5620
Website: www.casb.uscourts.gov
Hours: 9:00am-4:00pm Monday-Friday

Gregory Scott Beauchamp
452 Fourth St
Encinitas, CA 92024
xxx-xx-4987
No Known Aliases

Case number: 09-11540-PB7
Chapter: 7
Judge Peter W. Bowie

Notice To Filer Of Errors And/Or Deficiencies in Documents

Document Number **48** filed on: **11/9/09** Title of Document: **Notice of Emergency Motion**

Pursuant to General Order 162, Federal Rules of Procedure and/or Local Bankruptcy Rules, the following errors or deficiencies have been found with your filed document:

Other reason—See OTHER section below.

ACTION TAKEN BY COURT

☐ Atty/Debtor(Pro Se)/Movant contacted on

via ☐ Tel/Voice Mail

☐ Email

☐ Mail or Other

Other action—See OTHER section below.

ACTION REQUIRED BY FILER

Other action—See OTHER section below.

OTHER: Case Number is incorrect. Please correct.

Dated: 11/9/09

Barry K. Lander
Clerk of the Bankruptcy Court

Name, Address, Telephone No. & I.D. No.

Gregory Scitt Beauchamp

452 Fourth St

Encinitas, CA

92024

FILED ~~KB~~

2009 NOV -9 PM 12:13

CLERK
U.S. BANKRUPTCY CT
SD DIST OF CALIF

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Beauchamp, Gregory Scott

BANKRUPTCY NO. 09-10540-PB7

Tax I.D. (EIN) #: /S.S.#:XXX-XX- Debtor.

NOTICE OF MOTION FOR EMERGENCY MOTION

TO: John E. Bouzane Attorney for William K. Ho and Sunni K. Ho
 634 Oak Court
 San Bernadino, CA 92410 909-889-5151

You are herewith served with the attached Motion by Gregory Scott Beauchamp, Debtor

for:

EMERGENCY MOTION— PERSUANT TO BANKRUPTCY RULE 9014.5
 VACATE JUDGMENT IN UNLAWFUL DETAINER CASE 37-2009-00038371-CL-UD-NC FILED JUNE 19, 2009
 VACATE WRIT OF POSSESSION AND NOTICE TO VACATE ISSUED OCT. 28, 2009
 REINSTATE STAY STOP ENFORCEMENT OF JUDGMENT TO ALLOW HEARING ON THE MERITS
 FRCP Rule 60. Relief from Judgment or Order an FRCP Rule 60 (b)(4)

and any accompanying declarations.

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DATED: 11/9/09


GREGORY SCOTT BEAUCHAMP, PRO PER

Attorney for Moving Party

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on 9 day of NOVEMBER, I served a true copy of the within NOTICE OF MOTION by
[describe here mode of service]

MAIL / PHONE

on the following persons [set forth name and address of each person served] and/or as checked below:

[☒] Attorney for Debtor (if required):

John E. Bouzane Attorney for William K. Ho and Sunni K. Ho
634 Oak Court
San Bernadino, CA 92410 909-889-5151

Ronald E. Stadmueller
10755 Scripps Poeay Pky #370
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San Diego, CA 92101

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DAVID L. SKELTON, TRUSTEE
525 "B" Street, Suite 1430
San Diego, CA 92101-4507

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 11/9/09
(Date)


Lisa Lynn Beauchamp
(Typed Name and Signature)

452 Fourth St
(Address)

Encinitas, CA 92024
(City, State, ZIP Code)